



JFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q69854

Shaun JORDAN, et al.

Appln. No.: 10/787,098

Group Art Unit: 1632

Confirmation No.: 8004

Examiner: Deborah Crouch

Filed: February 27, 2004

For: CONGENIC RATS CONTAINING A MUTANT GPR10 GENE

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the personal interview conducted on July 28, 2005, between Examiner Crouch and Mark Hayman, the attorney for Applicant:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was provided after the Interview, and is dated July 28, 2005.

During the interview, the following were discussed: The utility and enablement rejections.

1. Brief description of exhibits or demonstration: None.
2. Identification of claims discussed: Claim 1.
3. Identification of art discussed: None.
4. Identification of principal proposed amendments: None.
5. Brief Identification of principal arguments:

Statement of Substance of Interview
Application No. 10/787,098

Applicants attorney pointed out that the Office Actions of November 12, 2004, May 2, 2005, and July 15, 2005 are inconsistent and seem to change position, perhaps due to a change in Examiner. It was discussed that the evidence of record shows that the physiology of GPR10/PrRP is not considered in the art to be species-specific. Examiner Crouch indicated that Applicants' responses seem sufficient in this regard, and thus, the asserted utility of using the congenic rat as an animal model for depression is credible.

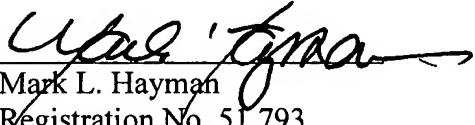
Examiner Crouch indicated that the asserted utility may however not be substantial, if further testing is needed to confirm that the claimed rat is depressed. Examiner Crouch requested that Applicants show that the data set forth in the specification relate to depression or an anti-anxiety phenotype, and that the test results would lead one of skill in the art to conclude that the rat has the asserted phenotype.

Examiner Crouch indicated that the enablement rejection and utility rejection are coextensive.

6. Results of Interview: No agreement was reached with respect to substantial utility.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

Respectfully submitted,


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Date: August 1, 2005